

01/12 Rec'd PCT/PTO 18 JAN 2005

10/521847

TO/SB/08B (08-03)
ed for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application No.	
				Inetnat'l. Filing Date: 15 July 2003	
				First Named Inventor: Horn	
				Art Unit	
				Examiner Name	
Sheet 1	of 1	Attorney Docket Number 05-037			

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
/KA/	1	WO 91/13146 - A1	09-05-1991	The Upjohn Company		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
/KA/	2	KUNG, JR., et al., "Preventing In Vitro Lactate Accumulation in Ruminal Fermentations by Inoculation with <i>Megasphaera elsdenii</i> ," J. Anim. Sci., 1995, 73:250-256	
/KA/	3	OUWERKERK et al., "Enumeration of <i>Megasphaera elsdenii</i> in rumen contents by real-time Taq nuclease assay," Journal of Applied Microbiology, 2002, 92:753-758	

Examiner Signature	<i>Kade Arini</i>	Date Considered	06/14/2007
--------------------	-------------------	-----------------	------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

FORM PTO-1449 (Rev. 2-32)	U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No. 05-037	Serial No. 10/521,847
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)		Applicant: Horn, et al	
		Filing Date: November 23, 2005	Group: 1632



U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate


FOREIGN PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Country	Class	Subclass	Translation Yes No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc).

/KA/		Hall, M.B., <i>Management Strategies Against Ruminal Acidosis</i> , 10 th Florida Ruminant Nutritional Symposium, Gainesville, Florida (Jan. 14-15, 1999).
/KA/		McDaniel, B.T., et al., <i>Lameness In Dairy Cattle</i> , DHIA Awards Banquet and Annual Meeting, College of Agriculture, Univ. Arizona, Tucson (1989).
/KA/		Oetzel, G.R., <i>Clinical aspects of Ruminal Acidosis in Dairy Cattle</i> , Proc. 33 rd Conf. American Assoc. Bovine Practitioners (September, 2000).
EXAMINER	Kade Aron	DATE CONSIDERED 06/14/2007

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

FORM PTO-1449 (Rev. 2-32)	U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No. 05-037	Serial No. 10/521,847
		Applicant: Horn, et al	
		Filing Date: November 23, 2005	Group:
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)			

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate

FOREIGN PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Country	Class	Subclass	Translation Yes No
/KA/	WO 91/13146-A1	09-05-1991	WO			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc).

/KA/	Allison, M.J., et al., <i>Ruminal changes after overfeeding with wheat and the effect of intraruminal inoculation on adaptation to a ration containing wheat</i> , J. Anim Sci., 23:1164-1170 (1964).
	Braun, U., et al., <i>Ruminal lactic acidosis in sheep and goats</i> . The Veterinary Record, 130:343-349 (1992).
	Dawson, K.A., et al., <i>Digestive disorders and nutritional toxicity</i> , In The Rumen Microbial Ecosystem, pp. 445-459 (1988).
	Kung, L., et al., <i>Preventing in vitro Lactate Accumulation In Ruminal Fermentations By Inoculation With Megasphaera elsdenii.</i> , J. Anim Sci., 73:250-256 (1995).
	Lederberg, J., et al., <i>Replica plating and indirect selection of bacterial mutants</i> , J. Bact. 63:399-406 (1952).
	Mackie, R.I., et al., <i>Microbiological and chemical changes in the rumen during the stepwise adaptation of sheep to high concentrate diets</i> , J. Agric Sc. Camb, 90:241-254 (1978).
	Mackie, R.I., et al., <i>An in vivo study of ruminal micro-organisms influencing lactate turnover and its contribution to volatile fatty acid production.</i> , J. Agric Sc. Camb, 103:37-51 (1984).
	Mackie, R.I., et al., <i>Changes in Lactate-Producing and Lactate-Utilizing Bacteria in Relation to pH in the rumen of Sheep During Stepwise Adaptation to a High-Concentrate Diet</i> , Appl Environ Microbiol, 38:422-430 (1979).
	Mackie, R.I., et al., <i>Enumeration and Isolation of Lactate-Utilizing Bacteria from the Rumen of Sheep</i> , Appl Environ Microbiol, 38:416-421 (1979).
	Marounek, M., et al., <i>Metabolism and Some Characteristics of Ruminal Strains of Megasphaera elsdenii</i> , Appl Environ Microbiol, 55:1570-1573 (1989).
✓	Olumeyan, D.B., et al., <i>Rumen Microbial Changes in Cattle Fed Diets With or Without Salinomycin</i> , Appl Environ Microbiol, 51:340-345 (1986).

FORM PTO-1449 (Rev. 2-32)	U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No. 05-037	Serial No. 10/521,847
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)		Applicant: Hom, et al	
		Filing Date: November 23, 2005	Group:

/KA/	Robinson, J.A., et al., <i>Prevention of acute acidosis and enhancement of feed intake in the bovine by Megasphaera elsdenii</i> , J. Anim Sci, 70:310 (abstract) (1992).
	Russell, J.B., et al., <i>Substrate Preferences in Rumen Bacteria: Evidence of Catabolite Regulatory Mechanisms</i> , Appl. Environ Microbiol, 36:319-329 (1978).
	Slyter, LL., <i>Influence of acidosis on rumen function</i> , J. Anim Sci, 43:910-929 (1976).
	Therion, J.J., et al., <i>Effect of pH on Growth Rates of Rumen Amylolytic and Lactilytic Bacteria.</i> , Appl Environ Microbiol, 44:428-434 (1982).
	Van Gylswyk, N.O., <i>Enumeration and presumptive identification of some functional groups of bacteria in the rumen of dairy cows fed grass silage-based diets</i> , FEMS Microbiol Ecol, 73:243-254 (1990).
	Wirayawan, K.G., et al., <i>Probiotic control of lactate accumulation in acutely grain-fed sheep</i> , Aust J Agric Res, 46:1555-1568 (1995).
	Donovan, J., <i>Subacute acidosis is costing us millions</i> , Hoards Dairyman, page 666, September 25 (1997).
	Hutjens, M.F., <i>How and when feed additives may or may not pay</i> , Hoards, Dairyman, September 25 (1999).
	Kelly, E.R., et al., <i>Lameness in Dairy Cattle and the Type of Concentrates Given</i> , Anim Prod 51:221 (1990).
	Manson, R.J., et al., <i>The Influence of Concentrate Amount on Locomotion and Clinical Lameness In Dairy Cattle</i> , Anim Prod. 47:185-190 (1988).
	Nocek, H.E., <i>Bovine Acidosis: Implication on Laminitis</i> , J. Dairy Sci, 80:1005-1028 (1997).
	Brosius, J., et al., <i>Complete nucleotide sequence of 16S ribosomal RNA gene from Escherichia coli</i> , Proc. Natl. Acad. Sci, 75:4801-4805 (1978).
	Dorsch, M., et al., <i>Some modifications in the procedure of direct sequencing of PCR amplified 16S rDNA</i> , J. Microbiol. Methods, 16:271-279 (1992).
	Elsden, S.R., et al., <i>The Production of Fatty Acids by a Gram-negative Coccus</i> , Biochem, J., 55:183-189 (1953).
	Elsden, S.R., et al., <i>Properties of a Fatty Acid Forming Organism Isolated From The Rumen of Sheep</i> , J. Bacteriol. 72:681-689 (1956).
	Engelmann, U., et al., <i>Megasphaera cerevisiae</i> sp. Nov.: A New Gram-negative Obligately Anaerobic Coccus Isolated from Spoiled Beer, Syst App. Microbiol., 6:287-290 (1985).
	Fox, G.E., et al., <i>How Close is Close: 16S rRNA Sequence Identity May Not Be Sufficient To Guarantee Species Identity.</i> , Int J. Syst Bacteriol., 42:166-170 (1992).
	Lane, D.J., et al., <i>Rapid determination of 16S ribosomal RNA sequences for phylogenetic analyses</i> , Proc. Natl. Acad. Sci., 82:6955-6959 (1985).
	Rogosa, M., <i>Transfer of Peptostreptococcus elsdenii</i> , Gutierrez et al. to a New Genus, Megasphaera [M. elsdenii (Gutierrez et al.) comb. Nov.], Int. J. Sys. Bacteriol., 21:187-189 (1971).
	Stackebrandt, et al., <i>The Importance of Using Outgroup Reference Organisms in Phylogenetic Studies: the Atopobium Case</i> , Syst. App. Microbiol, 17:39-43 (1994).
	Stackebrandt, et al., <i>16S rRNA analyses of Sporomusa, Selenomonas and Megaphaera: on the phylogenetic origin of Gram-positive Eubacteria</i> , Arch. Microbiol, 143:270-276 (1985).
✓	Stackebrandt, et al., <i>Partial 16 rRNA primary structure of five Actinomyces species: phylogenetic implications and development of an Actinomyces israelii-specific oligonucleotide probe</i> , Journal of Gen. Microbiology, 136:37-43 (1990).

FORM PTO-1449 (Rev. 2-32)	U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No. 05-037	Serial No. 10/521,847
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)		Applicant: Horn, et al	

/KA/	Utaker, Janne, <i>et al.</i> , <i>Pylogenetic Analysis of Seven New Isolates of Ammonia-Oxidizing Bacteria Based on 16s rRNA Gene Sequences</i> , System. Appl. Microbiol, 18:549-559 (1995).
	Van Camp, G.Y., <i>et al.</i> , <i>Structure of 16S and 23S Ribosomal RNA Genes in Campylobacter Species: Phylogenetic Analysis of the Genus Campylobacter and Presence of Internal Transcribed Spacers</i> , System. Appl. Microbiol., 16:361-368 (1993).
	Vandamme, <i>et al.</i> , <i>Polyphasic Taxonomy, a Consensus Approach to Bacterial Systematics</i> , Microbiological Reviews, 60:407-438 (1996).
	Woese, Carl, <i>Bacterial Evolution</i> , Microbiological Reviews, 51:221-271 (1987).
	Haikara, A., <i>The genera Pectinatus and Megasphaera</i> , The Prokaryotes. A handbook on the Biology of Bacteria: Ecophysiology, Isolation, Identification, Application, Second Edition, Vol II, Chapter 91, pp. 1993-2004 (1992). Barlows, A., <i>et al.</i> , Springer-Verology, New York.
-	Stackbrandt, E., <i>et al.</i> , <i>Partial and complete 16S rDNA sequences, their use in generation of 16S rDNA phylogenetic trees and their implications in molecular ecological studies</i> , Molecular Microbial Ecology Manual, 3.1.1:1-17 (1995).
✓	Ouwerkerk, <i>et al.</i> , <i>Enumeration of Megasphaera elsdenii in rumen contents by real-time Taq nuclease assay</i> , Journal of Applied Microbiology, 92:753-758 (2002).
EXAMINER <i>Karl Aren</i>	DATE CONSIDERED 06/14/2007

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.